

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

Application of

COMMANDER MEXICANA, S.A. de C.V.

for an exemption from 49 U.S.C. § 41301
(U.S./Mexico Charter Air Transportation)

Docket DOT-OST-1997-2245

APPLICATION OF
COMMANDER MEXICANA, S.A. de C.V.
FOR RENEWAL OF EXEMPTION

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December 2, 2021

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Pursuant to 49 U.S.C. § 40109 and Subpart C of the Department's Rules of Practice, Commander Mexicana, S.A. de C.V. ("Commander Mexicana"), hereby applies for renewal of its exemption from 49 U.S.C. § 41301, which grants Commander Mexicana the full scope of passenger charter rights available under the Air Transport Agreement between the United States and Mexico signed on December 18, 2015. Commander Mexicana specifically seeks renewal of its authority to conduct passenger charter operations, using small aircraft, in foreign air transportation between any point or points in Mexico and any point or points in the U.S.; and from a point or points in Mexico, via an intermediate point or points, to any point or points in the U.S., and beyond, as mutually agreed in writing by the U.S. DOT and the former Mexican Dirección General de Aeronáutica Civil ("DGAC"), provided that such service constitutes part of a continuous operation, with or without a change of aircraft, that includes service to Mexico for the purpose of carrying local traffic between Mexico and the U.S.

Commander Mexicana also seeks renewal of its authority to conduct other passenger

charter operations to and from the U.S., such as seventh-freedom passenger charter operations, subject to the prior approval requirements set forth in 14 C.F.R. Part 212.

Commander Mexicana requests that the Department renew this exemption for a period of at least two years. Commander Mexicana invokes the automatic extension provisions of the Administrative Procedure Act, 5 U.S.C. §558(c), as implemented by 14 C.F.R. Part 377, to maintain its exemption authority in effect pending a final Department determination on this renewal application.^{1/}

In support of this application, Commander Mexicana states as follows:

1. Commander Mexicana continues to be financially fit, and is willing and able to provide charter passenger services using small aircraft. Commander Mexicana reports that there have been no changes in corporate address, key personnel, or ownership during the past two years, and the company incorporates by reference the information previously submitted in this docket.

Commander Mexicana's fleet currently consists of one aircraft: a Gulfstream 650, configured to seat sixteen passengers (Mexican registration XA-CPQ).

2. Commander Mexicana's Mexican authority to engage in transborder charter passenger service remains in full force and effect. See Exhibit A for a copy of Commander Mexicana's current Air Operator Certificate (AOC).

3. Commander Mexicana's renewal application is limited in scope and non-controversial. Commander Mexicana's proposed air transportation services are unchanged from the U.S.-Mexico services that it has performed during the past two

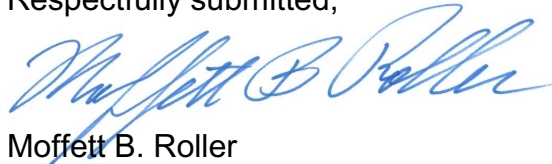
^{1/} The Department last granted the above authority to Commander Mexicana pursuant to a Notice of Action Taken issued in this Docket on December 5, 2019, effective through December 5, 2021.

years, *i.e.*, air transport services for executives and their guests using small executive jet aircraft.

4. In accordance with the terms of the Air Transport Agreement between the U.S. and Mexico, Commander Mexicana's exemption authority is in the public interest. Commander Mexicana's services satisfy a continuing commercial need and foster business activities and economic opportunities between Mexico and the United States.

WHEREFORE, Commander Mexicana, S.A. de C.V., requests renewal of its authority to engage in charter foreign air transportation of passengers between Mexico and the United States using small aircraft, as set forth herein, and such other relief as may be in the public interest.

Respectfully submitted,



Moffett B. Roller
Charles M. Greene
ROLLER & BAUER, PLLC

Attorneys for
Commander Mexicana, S.A. de C.V.

December 2, 2021



(SCT-02-126-A / 15440 / 19)

Subsecretaría de Transporte
Agencia Federal de Aviación Civil
Dirección General Adjunta de Aviación
Dirección de Aviación

4.1.4.1.-221/19

Ciudad de México a 06 de diciembre de 2019

Commander Mexicana, S. A. de C. V.

Av. 1, Calle 6, Hangares Del 47 Al 50
Aeropuerto Internacional de Toluca
C.P. 05200, Toluca, Edo de México.

C. Claudio Fabián González López
Director General.

En atención a su escrito y una vez cubiertos los requerimientos al respecto, se hace entrega de la renovación del Certificado de Explotador de Servicios Aéreos No.CRM/2002, el cual es otorgado con una vigencia al **20 de diciembre de 2021.**

Así mismo, deberá de remitir a esta Dirección de Aviación el Certificado Original que ha dejado de tener efecto, a fin de ser controlado en el expediente respectivo.

La presente renovación causó derechos por la cantidad de \$4,909.00 (CUATRO MIL NOVECIENTOS NUEVE PESOS 00/100 M. N.) de acuerdo al Artículo 158 Bis, Fracción II de la Ley Federal de Derechos en vigor.

Lo anterior se emite de conformidad a lo establecido en el artículo 6 fracción VI de la Ley de Aviación Civil en vigor y toda vez que se ha dado cumplimiento a los requisitos establecidos en la Norma Oficial Mexicana NOM-008-SCT3-2002, así como a lo establecido en los transitorios Cuarto y Quinto del Decreto por el que se crea el órgano administrativo desconcentrado de la Secretaría de Comunicaciones y Transportes, denominado Agencia Federal de Aviación Civil.

Atentamente.

Ing. Guillermo A. Magaña Hernández.
El Director de Aviación.

C.c.

- Director General de Aeronáutica Civil.- Pte.
- Director General Adjunta de Seguridad Aérea.- Pte.
- Director de Transportes y Control Aeronáutico.- Pte.
- Comandancia General.- A.I.C.M. "Benito Juárez" Mezanine No. 42 C.P. 15620 México, D. F.- Pte.
- Comandancia Regional I Mazatlán.- Apto. "Gral. Rafael Buelna" A.P. No. 2-1 Administración Urbana No. 2. Col. Juárez, C.P. 82180, Mazatlán, Sin.- Pte.
- Comandancia Regional II.- Apto "Mariano Escobedo" Apodaca, N.L. A.P. No. 62. Km. 21 Carret. a Nuevo Laredo. C.P. 66600, Monterrey, N.L.- Pte.
- Comandancia Regional III.- Apto. Int. de la Cd. De Guadalajara "Don Miguel Hidalgo y Costilla" 45659, Tlajomulco de Zúñiga, Jal. - Pte.
- Comandancia Regional IV Apto. Internacional "Lic. Manuel Crescencio Rejón", Mérida Yucatán.- Pte.
- Comandancia Regional V.- Apto "Gral. Heriberto Frías" .A.P. No. 382. Col. Centro. C.P. 91700. Veracruz, Ver.- Pte.
- Comandancia Regional VI.- Apto. Int. de la Cd. de Toluca "Lic. Adolfo López Mateos" Ex hacienda Canaleja C.P. 50200, Toluca Edo de México.- Pte.

JAT* ELSB

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2019
AÑO DEL CADUCLIO 002.1.018
EMILIANO ZAPATA

ESTADOS UNIDOS MEXICANOS
SUBSECRETARÍA DE TRANSPORTE
AGENCIA FEDERAL DE AVIACION CIVIL

CERTIFICADO DE EXPLOTADOR DE SERVICIOS AÉREOS

(AIR OPERATOR CERTIFICATE)

COMMANDER MEXICANA, S.A. DE C.V.

AOC No. CRM / 2002

AV. 1, CALLE 6, HANGARES DEL 47 AL 50
AEROPUERTO INTERNACIONAL DE TOLUCA
C.P. 05200, TOLUCA, EDO DE MÉXICO.

Responsable general de la operación:
(Operation general manager)
Teléfono (Telephone): Claudio Fabián González López
722 2730842

Correo electrónico (e-mail): fgonzalez@iusa.com.mx

Datos de contacto operacionales
(Operational contact data)

La información de contacto donde se puede ubicar a las autoridades de gestión operacional sin demoras indebidas se proporciona en:
(Contact information where you can locate the operational management without undue delay provided in)

- Sección A6 de las Especificaciones de Operación anexas al presente certificado (Operations Specifications Section A6 attached to this certificate).

El presente documento certifica que **Commander Mexicana, S.A. de C.V.** ha cumplido con los requerimientos establecidos en la Ley de Aviación Civil, su Reglamento y Normas Oficiales Mexicanas correspondientes vigentes de los Estados Unidos Mexicanos y demás disposiciones aplicables, en razón de lo cual se le expide el presente certificado que le autoriza a realizar operaciones de transporte aéreo comercial de conformidad con dicha Ley, Reglamento, Normas Oficiales Mexicanas y demás disposiciones aplicables, así como con los términos, condiciones y limitaciones previstos en las especificaciones de operación anexas al presente.

El presente certificado es intransferible y, salvo renuncia de su titular, a menos que sea suspendido, revocado o cancelado, permanecerá vigente durante la fecha indicada, y en caso de que las condiciones y requisitos que sirvieron de base para su otorgamiento no se mantengan actualizados, carecerá de validez.

This document certifies that Commander Mexicana, S.A. de C.V. has met the requirements of the Civil Aviation Law of Estados Unidos Mexicanos and related operating regulations and rules prescribed thereunder for the issuance of this certificate and is hereby authorized to conduct commercial air transportation operations in accordance with such operating regulations and rules prescribed there and term, conditions and limitations contained in the attached Operation Specifications.

This certificate is not transferable and, unless sooner surrendered, suspended or revoked, shall continue in effect until the indicated date.

El Director General Adjunto de Aviación


Ing. Pablo Carranza Plata

Fecha de emisión (Issue date): 06 de diciembre de 2019 (December 06th, 2019).
Fecha de efectividad (Effective date): 20 de diciembre de 2019 (December 20th, 2019).
Fecha de vigencia (Expiration date): 20 de diciembre de 2021 (December 20th, 2021).

Cualquier modificación en las limitaciones o en los datos del titular del certificado, deberá ser solicitado a la Agencia Federal de Aviación Civil.

Cualquier alteración a este certificado sin consentimiento por escrito de la Agencia Federal de Aviación Civil, será sancionado conforme a lo establecido en la Ley de Aviación Civil.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing application of Commander Mexicana, S.A. de C.V., was served upon all parties named on the following Service List via e-mail this 2nd day of December 2021. No indication was received that any transmission by electronic mail had failed.



Carmen Navarro

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